



1/21/2010

1 CHARLES B. GREENE (SB No. 56275)
 2 84 W. Santa Clara St., # 770
 3 San Jose, CA 95113
 4 (408) 279-3518

5 Attorneys for Debtor and Appellant
 6 Quail Bluff, LLC

7 UNITED STATES BANKRUPTCY COURT
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9 SAN JOSE DIVISION

8 In re: Quail Bluff, LLC
9 Debtor
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13 Quail Bluff, LLC
14 Plaintiff
15 vs.
16 Steven Miller, an individual, Steven Miller, 17 as Trustee of the Steven Michael Miller 1997 Revocable Truест
18 Defendants
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Chapter 11
 Case No. 09-56283 RLE (11)
 Adv. Proc. No. 09-5275
 District Court Action: C 09-05207 JW
 STIPULATION TO VOLUNTARY
 DISMISSAL OF APPEAL

20 Pursuant to Rule 8001(c) of the Federal Rules of Bankruptcy Procedure, Plaintiff and
 21 Appellant Quail Bluff, LLC and Defendants and Appellees Steven Miller, an individual,
 22 and Steven Miller as Trustee of the Steven Michael Miller 1997 Revocable Trust, by and
 23 through their undersigned counsel of record, hereby stipulate to the voluntary dismissal of
 24 the appeal to the District Court. The appeal has been assigned District Court case number
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1 5:09-cv-05207-JW but has not been docketed pursuant to Federal Bankruptcy Rule 8007
2 and Local Rule 8007-1(b).

3 IT IS SO AGREED.
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7 CHARLES B. GREENE, ESQ.

HENRY RENDLER, ESQ.

8
9 /s/ Charles B. Greene

/s/ Henry Rendler

Charles B. Greene

Henry Rendler

10 84 W. Santa Clara Street, # 770

Attorney at Law

San Jose, CA 95113

1550 The Alameda, Suite 308

11 Tel: (408) 279-3518

San Jose, CA 95126

12 Tel: (408) 293-5112

13 Attorney for Plaintiff and Appellant

Attorneys for Defendants and Appellees Steven

14 Quail Bluff, LLC

Miller, an individual, and Steven Miller as

15 Trustee of the Steven Michael Miller 1997

16 Revocable Trust
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In Re. Quail Bluff, LLC v. Steven Miller
Adv. Proc. No. 09-5275

CERTIFICATE OF SERVICE

I am over the age of eighteen years and not a party to the within entitled action; my business address is 84 W. Santa Clara #770, San Jose, CA 95113.

I served the within:

STIPULATION TO VOLUNTARY DISMISSAL OF APPEAL;

in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail addressed as follows:

U.S. Trustee
280 S. First St. #268
San Jose, CA 95113

Quail Bluff, LLC
Attn: Frank Donaldson
24103 Congress Springs Rd.
Saratoga, CA 95070

Steven Michael Miller 1997 Revocable
Trust
c/o Henry Rendler
1550 The Alameda, Ste. 308
San Jose, CA 95126

Executed on November 20, 2009.

I declare under penalty of perjury under the laws of the State of Texas that the foregoing is true and correct.


/s/ Charles B. Greene
CHARLES B. GREENE



1 CHARLES B. GREENE (SB No. 56275)
2 84 W. Santa Clara St., # 770
3 San Jose, CA 95113
4 (408) 279-3518

The following constitutes
the order of the court. Signed November 24, 2009

3 Attorneys for Debtor and Appellant
4 Quail Bluff, LLC



Roger L. Efremsky
U.S. Bankruptcy Judge

5 UNITED STATES BANKRUPTCY COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7 SAN JOSE DIVISION

8 In re: Quail Bluff, LLC
9 Debtor

Chapter 11

Case No. 09-56283 RLE (11)

Adv. Proc. No. 09-5275

12 Quail Bluff, LLC

13 Plaintiff

14 vs.

15 Steven Miller, an individual, Steven Miller,
16 as Trustee of the Steven Michael Miller
1997 Revocable Truест

17 Defendants

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19 **ORDER DISMISSING APPEAL**

20 Pursuant to Rule 8001(c) of the Federal Rules of Bankruptcy Procedure, and upon
21 consideration of the Stipulation to Voluntary Dismissal of Appeal entered into by Plaintiff
22 and Appellant Quail Bluff, LLC and Defendants and Appellees Steven Miller, an
23 individual, and Steven Miller as Trustee of the Steven Michael Miller 1997 Revocable
24 Trust, and considering that the appeal having been assigned District Court case number
25 5:09-cv-05207-JW but having not yet been docketed pursuant to Federal Bankruptcy Rule
26 8007 and Local Rule 8007-1(b), and the Court having found good cause therefor,
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1 **IT IS HEREBY ORDERED THAT** the appeal in this proceeding filed with the
2 District Court, case number 5:09-cv-05207-JW, is hereby dismissed.

3 * END OF ORDER *
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1 **Court Service List:**

2 Attorney for Plaintiff/Appellant:

3 Charles B. Greene, Esq.

4 84 W. Santa Clara St. # 770

5 San Jose, CA 95113

6
7
8 Attorney for Defendant/Appellee:

9 Henry Rendler, Esq.

10 1550 The Alameda # 308

11 San Jose, CA 95126